

AG Contract No. KR98-0369TRN  
ADOT ECS File: JPA 98-18-**Amendment 4**  
FS Agreement No. IA-0312-98-SO-021  
TRACS No.: **Various**  
Section: SR 87, SR 260, SR 88 and  
SR 188, US 60 and SR 77  
**5-Year Program Item # 76506**

**AMENDMENT NO. 4  
INTERGOVERNMENTAL AGREEMENT**

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE UNITED STATES DEPARTMENT OF AGRICULTURE  
TONTO NATIONAL FOREST

**THIS AMENDMENT**, entered into this date June 21st 2006, **Amendment Number four (4)** to JPA 98-18, AG Contract No. KR98-0369TRN, and executed 03 June, 1998, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the UNITED STATES DEPARTMENT OF AGRICULTURE, TONTO NATIONAL FOREST, acting by and through its Contracting Officer (the "Forest Service").

**I. RECITALS**

1. The State is empowered by Arizona Revised Statutes Section 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.

2. The Forest Service is empowered by Cooperative Funds Act of 30 June 1914 (16 U.S.C. 498) and the Intergovernmental Cooperation Act of 1968, Title III, 31 U.S.C. 6501-6508, Pub. L. 90-577, as amended, Pub. L. 97-258, 13 Sept. 1982 to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Forest Service.

**THIS AGREEMENT IS AMENDED AS FOLLOWS:**

ADOT has agreed to increase the Project's funding amount of an additional \$500,000.00, for a total cost of \$3,500,000.00. The Funding will be applied to Budget Item No. 76506, FS Project No IA-0312-98-SO-021, from fiscal year 2006. The expiration date for this Agreement will be extended to June 30<sup>th</sup> 2007 or upon final accounting whichever is first.

THEREFORE, in consideration of the mutual covenants expressed herein, this amended Agreement is as follows:

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NO. 22397  
Filed with the Secretary of State  
Date Filed: 6/21/06  
Janice K. Shivers  
Secretary of State  
By: [Signature]

**II. SCOPE OF WORK**

1. The parties hereto acknowledge the following conditions:

The State will reimburse the Forest Service no more than monthly and upon receipt and approval of an invoice. Invoice will reflect Project-to-date amount, and shall not to exceed \$3,500,000.00

Forest Service project deliverable review times (including NEPA, Section 106, and biology documents) will customarily be thirty (30) calendar days, unless other wise agreed to by FHWA, ADOT and Forest Service.

All contractual notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007  
FAX (602) 712-7424

USDA Forest Service  
Tonto National Forest  
Don VanDriel  
2324 E. McDowell Road  
Phoenix, AZ 85006

**Except as amended herein, all other terms and conditions of the original Agreement and Amendment 1, 2 & 3 shall remain in full force and effect.**


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IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

**U.S. DEPARTMENT OF AGRICULTURE**  
Tonto National Forest

**STATE OF ARIZONA**  
Department of Transportation

By   
GENE BLANKENBAKER  
Forest Supervisor

By   
TODD WILLIAMS  
Director of Environmental Services

6/1/06  
(Date)

6/2/06  
(Date)

**JPA 98-18**

DETERMINATION APPROVAL FORM

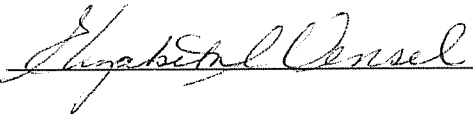
FOR THE TONTO NATIONAL FOREST


JPA Agreement No. 98-18 Amendment #4, which is an Agreement between public agencies; to wit; the STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the UNITED STATES OF AMERICA, TONTO NATIONAL FOREST, has been reviewed by the undersigned for the United States who has determined that it is in the proper form and within the powers and authority granted to the United States.

No opinion is expressed as to the authority of the State of Arizona to enter into said agreement.

DATED this 31 day of May, 2006.

The United States of America

by 

<p>TERRY GODDARD Attorney General</p>	<p> <b>OFFICE OF THE ATTORNEY GENERAL</b> STATE OF ARIZONA</p>	<p>CIVIL DIVISION TRANSPORTATION SECTION Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan Davis@azag.gov</p>
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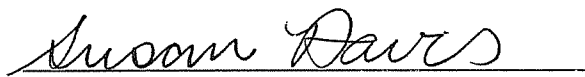
**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR98-0369TRN (**JPA 98-018, Amendment 4**), an Agreement between public agencies, i.e., The State of Arizona and The United States Department of Agriculture Tonto National Forest, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: June 8, 2006

TERRY GODDARD  
Attorney General

  
SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:mjf:964171  
Attachment